

02/16/01  
 J0951 U.S. PTO

02-20-01

JC09 Rec'd PCT/PTO

16 FEB 2001

PCT

PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 10-2000)		ATTORNEY'S DOCKET NO. 4670/1
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED /ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/763338</b>
INTERNATIONAL APPLICATION NO. PCT/AU00/00937	INTERNATIONAL FILING DATE August 7, 2000	PRIORITY DATE CLAIMED August 6, 1999
TITLE OF INVENTION NETWORK RESOURCE MONITORING AND MEASUREMENT SYSTEM AND METHOD		
APPLICANT(S) FOR DO/EO/US Lim Or Sim, Yee Han Cheong, Andrew Lawrence Jarrett, Shefik Bey, Anthony Roger Eustace, Matthew James Pettit		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An (<b>unexecuted</b>) oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 To 16 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.  <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input type="checkbox"/> Other items of information:</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/763338</b>		INTERNATIONAL APPLICATION NO. PCT/AU00/00937		ATTORNEY'S DOCKET NO. 4670/1	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492(a) (1)-(5) ):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . \$1000.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . \$860.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. . . . . \$710.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1)-(4) . . . . . \$690.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00				<b>CALCULATIONS    PTO USE ONLY</b>	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$1000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claims priority date (37 CFR 1.492 (e))				\$	
Claims	Number Filed	Number Extra	Rate		
Total claims	50 -20 =	30	x \$18.00	\$ 540.00	
Independent claims	8 -3 =	5	x \$80.00	\$ 400.00	
MULTIPLE DEPENDENT CLAIMED (if applicable)				+ \$270.00	\$
<b>TOTAL OF ABOVE CACULCATIONS =</b>				\$ 1940.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$ 970.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 970.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 970.00	
				Amount to be refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$970.00 to cover the above fees is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4270</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4270</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: James J. Woods, Esq. Brown Raysman Millstein Felder & Steiner LLP on: <u>2/16/01</u> <i>James J. Woods</i> 120 West 45 <sup>th</sup> Street New York, New York 10036 (212) 944-1515					
				SIGNATURE	
				James J. Woods	
				NAME	
				47,184	
				REGISTRATION NUMBER	